

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4159 of 2020

Bindeshwari Sah, Male, aged about 53 years, Son of Budhan Sah, Resident of Rampurva PS Mainatanr West Champaran, Bettiah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection, Government of Bihar, Patna.
2. The District Magistrate Bettiah, West Champaran.
3. The Sub Divisional Officer Narkatiyaganj West Champaran, Bettiah.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra, Advocate
For the Respondent/s	:	Mr. Upendra Kumar, AC to SC 4

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 08-04-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Sanjeev Kumar Mishra, learned counsel for the petitioner and Mr. Upendra Kumar, learned AC to SC 4 for the State.

3. The petitioner has moved the Court for the following reliefs:

“i. For issuance of an appropriate writ in the nature of certiorari quashing the order contained in memo no. 155 dated 23.1.2020 passed by Respondent no. 3 by which the license no. 14/2016 of the petitioner under public distribution system was cancelled.

ii. And the petitioner further prays to restore the license no. 14/2016 of the petitioner forthwith.



iii. Any other order or orders as your lordships may deem fit and proper and in the facts and circumstances of the case.”

4. After some arguments, learned counsel for the petitioner submitted that he is ready to move before the District Magistrate, West Champaran (respondent no. 2) by filing a statutory appeal. It was further submitted that the Court may direct that the same be heard on merits as the period of filing such appeal has already elapsed and the conduct of the petitioner is *bona fide* as he was pursuing the present application.

5. Learned counsel for the State does not oppose.

6. Having considered the matter, the writ petition stands disposed off with liberty to the petitioner to file appeal before the respondent no. 2. If the same is done within four weeks from today, the same shall be heard and disposed off on merits, in accordance with law, within the stipulated period by the respondent no. 2.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

